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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THADDEUS THOMAS,

Plaintiff,

v.

SHANTAY BRAME ADAMS, et al.,

Defendants.

Hon. Esther Salas, U.S.D.J.
Hon. Michael A. Hammer, U.S.M.J.

No. 2:10-cv-05026-ES-MAH

**[REDACTED] FINDINGS OF
FACT, CONCLUSIONS OF LAW,
AND ORDER GRANTING JOINT
CONSOLIDATED MOTION TO
REDACT TRANSCRIPT
PURSUANT TO LOCAL CIVIL
RULE 5.3**

THIS MATTER, having been brought before the Court jointly by Plaintiff Thaddeus Thomas, Department of Health Services Defendants Elizabeth Connolly, John Main, Valerie Mielke, Merrill Main, Shantay Brame Adams, Jackie Ottino, Jonathan Poag, and Jennifer Velez ("DHS Defendants") and Department of Corrections Defendant Gary Lanigan ("DOC Defendant"), by way of a Joint

Consolidated Motion to Redact portions of the Transcript pursuant to Local Civil Rule 5.3 (“Joint Consolidated Motion to Redact”); and the Court having considered the submission and proposed sealed information; and the Court having considered the factors contained in Local Civil Rule 5.3(c)(2), the Court makes the following Findings of Fact and Conclusions of Law:

a. The parties seek to protect the confidential information identified in the Index attached to the Certification of Lawrence S. Lustberg in Support of the Joint Consolidated Motion to Redact (“Lustberg Certification”).

b. On February 16, 2024, via ECF, the parties filed submissions on the summary judgment motions of Department of Corrections Defendant (“DOC Defendant”) and Department of Health Services Defendants (“DHS Defendants”) and Plaintiff’s cross-motion for summary judgment.

1. On March 19, 2024, via ECF, the Court entered an Order Granting Joint Motion to Seal and Redact (ECF No. 175) materials which contain confidential medical and psychiatric information in which Plaintiff has a recognized interest in maintaining private. These materials include Plaintiff’s treatment notes and treatment records from the East Jersey State Prison’s Special Treatment Unit (“STU”), attached as exhibits to the parties’ summary judgment papers, as well as other materials submitted in connection with the parties’ motions for summary judgment that quote from or discuss information contained in Plaintiff’s STU

treatment records and treatment notes.

c. On January 30, 2025, oral argument was held on the parties' motions for summary judgment in front of the Honorable Esther Salas, U.S.D.J. (ECF No. 187).

d. On March 4, 2025, via ECF, a Notice of Availability of Transcript of the January 30, 2025 oral argument ("the Transcript"), prepared by Court Reporter Mary Jo Monteleone, was posted to the docket of this pending action (ECF No. 188).

e. The portions of the Transcript listed in the Index attached to the Lustberg Certification contain Plaintiff's confidential communications between him and his treatment providers in which Plaintiff has a recognized interest in maintaining private. Plaintiff asserts that he would suffer irreparable harm if the communications referenced therein were publicly disclosed.

f. The portions of the Transcript listed in the Index attached to the Lustberg Certification contain confidential information which has already been filed under seal and/or redacted, pursuant to the March 19, 2024 Order Granting Joint Motion to Seal and Redact.

g. At this time, there is no less restrictive alternative available other than to seal the following portions of the Transcript for the reasons set forth in Paragraphs (e) through (f) above:

i. Page 55, lines 19-20;

- ii. Page 57, line 16 (first 6 words); and
- iii. Page 61, line 7 (last 4 words), lines 8-9, line 10 (first three words).
- h. The proposed redacted version of the Transcript, mailed directly to the Chambers of this Court, may be filed and made publicly available.
- i. The parties have complied with the requirements of Local Civil Rule 5.3(c).

WHEREFORE, the Court having found that the relief sought is warranted, and for good cause shown,

IT IS ON THIS 24th **DAY OF** March, 2025, **ORDERED**
AS FOLLOWS:

- 1. The parties' Joint Consolidated Motion to Redact is **GRANTED**.
- 2. The portions of the Transcript listed in Paragraph (g) above, and as set forth in the Index attached to the Lustberg Certification, are hereby sealed.
- 3. The redacted version of the Transcript, mailed directly to the Chambers of this Court, shall be publicly filed.

IT IS SO ORDERED.

SO ORDERED

s/Michael A. Hammer
Michael A. Hammer, U.S.M.J.

Date: 3/24/25

The Honorable Michael A. Hammer
United States Magistrate Judge